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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/769,004	01/24/2001	David Smith	S1022/8602	3814

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EXAMINER

TO, BAOQUOC N

ART UNIT	PAPER NUMBER
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2172

DATE MAILED: 12/03/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/769,004

Applicant(s)

SMITH, DAVID1

Examiner

Baoquoc N To

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_ 6) ☐ Other: \_\_\_\_

**DETAILED ACTION**

1. Claim 10 is amended and claim 1-18 are pending in this application.

***Response to Arguments***

2. Applicant's arguments with respect to claims 1 and 10 have been considered but are moot in view of the new ground(s) of rejection.

The applicant argues, "Reber does not disclose or suggest that dependencies exist between files."

The examiner respectfully disagrees with the applicant argument because as taught by Reber a log or set of records of all the media that is known to be accessible to it, and where and how that material may be retrieve (col. 4, lines 46-49). The media are retrieved based on a log or the set of records. The media depends on the log file in order to be retrieved.

The applicant also argues, "in Reber there is no disclosure or suggestion that the data of one media file is dependent on the data of media file."

The examiner disagrees with the above argument because the claim does not explicitly or clearly state that the files have to be the same and depend on each other. Reber discloses the media files retrieved by using a log file or set of records (col. 4, lines 46-49). Here, the media is depended on the log files in order to be retrieved.

The applicant also argues, "Reber fails to disclose determining a predetermined parameter of the identified file."

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The examiner respectfully disagrees with the above argument because each of a file has a certain attributes for a request or comparison. Each time the system process a request, for example a time attribute is used to compare and retrieve (col. 6, lines 27-35). The same concept is implemented by Reber.

The applicant also argues, "thus, Reber discloses comparing an attribute of a file with an attributes of a directory. Further this attribute (i.e., the time stamp) is unrelated to the parameter of Mfm\_close function call which identifier caller information."

The examiner disagrees with the above argument because as taught in Reber the time attribute is compare to verify the status of the file (col. 5, lines 25-29). This teaches the same concept of comparing the file with other files.

The applicant also argues, "Reber does not disclose indicating whether a media file is valid."

The examiner respectfully disagrees with the above argument because as taught in Reber the file timestamp is being compared in order to determine the validity between the directory and the media file (COL. 5, LINES 20-41). Directory is also a file. The same concept is implemented by Reber.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made

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to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 3-4, 6, 8, 10-12, 14 and 17-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reber et al. (6,061,758).

Regarding on claims 1, 10 and 17-18, Reber teaches a method of operating a computer system to validate the data stored in a plurality of data files in a database each of said data files having an associated file type and being arranged in a plurality of data stored in said database, wherein at least one of said data files is a data dependent file containing data dependent data in one or more other files of said data store, said method comprising the step of:

Selecting a file locator which is associated with a respective one data store in said data store in said data base (col. 5, lines 44-47);

Via said selected file locator (a source identifier or "id") identifying a first dependent file and identifying locator identifying a first dependent file and identifying one or more other files (linked list) on which said first file is dependent (col. 5, lines 52-56);

For each identified file, selecting a first file reader associated with the file type (type of media or audio) of the identified file (col. 5, lines 48-49);

Via each said selected first file reader, determining a predetermined parameter of said identified file (col. 6, lines 28-32);

Comparing the predetermined parameter from the first file with that from the or each other file (col. 5, lines 20-35); and

Responsive to said comparison step, providing an output signal for each data file indicating whether the data file is valid (col. 5, lines 35-42).

Reber does not explicitly teach the dependent file. However, Reber teaches, "this specific source request is unique and the system works on the concept that identifiers exist that separately identify any source medium" (col. 4, lines 42-45). In addition, Reber also teaches, "this identifier represents the dynamic link or binding of a client's need for media and the actual source of media to be used" (col. 4, lines 57-60). This teaches dependent file is the data depended on the identifier. Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to including the media data that depending on the identifier to allow the user to search for the depend data based on the identification.

Regarding on claim 3, Reber teaches for each data storage generating a list therein containing an entry for each first dependent file in the data store, said entry including a first record having details of the first dependent file (col. 5, lines 53-56).

Regarding on claim 4, Reber teaches each entry in said list further includes a further record for each other identified file upon which the dependent file depends (col. 5, lines 53-56).

Regarding on claims 6 and 14, Reber teaches the predetermined parameter comprises the date on which the data file was last modified (col. 5, lines 28-32).

Regarding on claim 8, Reber teach identifying every said first dependent file in said data storage (col. 5, lines 25-30).

Regarding on claim 11, Reber teaches in each data store, at least one file which can be located and which contains dependency information which enables dependent files and said other files (file list) in the data stored to be identified (col. 5, lines 52-54); and

Means provided to locate said located file (col. 5, lines 56-57).

Regarding on claim 12, Reber teaches a file reader associated with the located file which is adapted to provide a list in the data store (file list) (col. 5, lines 52-54), said list having an entry for each dependent file having details contained in the located file and including a record in said entry for said dependent file together with a further record for each other file upon which the dependent file depends (col. 5, lines 56-63).

4. Claims 7 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reber et al. (6,061,758) in view of Goss et al. (US. Patent No. 4,667,290).

Regarding on claims 7 and 15, Reber discloses the claimed subject matter except the claimed predetermined parameter is a UNIX time data stamp. However, Goss teaches, "field 3 and 4 each contain 4-byte long integers which are time stamp in UNIX system format. The first time stamp is the file creation data, the second is the date of last modification" (col. 12, lines 39-42). This teaches the time stamp is the UNIX time stamp. Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to modify the teaching of Goss because allowing the file to be UNIX time stamp would allow the file in the UNIX file system to be validated before processing it.

5. Claims 9 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reber et al. (6,061,758) and in view of Nelson et al. (US. Patent No. 5,778,390).

Regarding on claims 9 and 16, Reber discloses the claimed subject matter, as discussed above, except the claimed data store is a data base library. However, Nelson teaches, "file management system 20 is operable to manage the database files 19 and 23 in the test environments 22 and 24. More specifically, file management system 20 may act as a library, allowing database files to be checked out, edited and checked in" (col. 4, lines 1-5). This teaches the database is the storage area to store and allow to check in and out. Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to modify the teaching of Nelson into Reber because storing the data in the database library would allow the file to be check out, edit and check in after requested for processing.

6. Claims 5 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reber et al. (US. Patent No. 6,061,758) in view of Larson et al. (US. Patent No. 6,369,709).

Regarding on claims 5 and 13, Reber discloses the claimed subject matter, as discussed above, except the claimed selecting the file locator from a file locator means which contains a plurality of file locators except for selecting a file reader from file reader means which contain a plurality of file readers. However, Larson teaches, "the microprocessor 60 determines whether the library patron identified by the bar code on



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the library card read by the reader 18 has previously been determined to be block patron" (col. 11, lines 42-45). This teaches the reader 18 is selected to be the reader. Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to modify the teaching of Larson into Reber because using the reader 18 to read would allow the system to validate if the file is valid for processing.

Regarding on claim 2, Reber teaches locating, via said file locator, files which contain dependency information; for each located file, selecting a second file reader associated with the file type of the located file. However, Reber does not explicitly second file reader identifying said first dependent file and each other file on which the first file depends. On the other hand, Larson teaches, "the microprocessor 60 determines whether the library patron identified by the bar code on the library card read by the reader 18 has previously been determined to be block patron" (col. 11, lines 42-45). This teaches there is more than one reader 18 in the library to read the library card. Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to modify the teaching of Larson into Reber because using other reader would allow the system to read other data type in order to provide the validation for the file to be processed.

### ***Conclusion***

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Baoquoc N. To whose telephone number is (703) 305-1949 or via e-mail BaoquocN.To@uspto.gov. The examiner can normally be reached on Monday-Friday: 8:00 AM – 4:30 PM, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Y. Vu can be reached at (703) 305-4393.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231.

The fax numbers for the organization where this application or proceeding is assigned are as follow:

- (703) 746-7238 [After Final Communication]
- (703) 746-7239 [Official Communication]
- (703) 746-7240 [Non-Official Communication]

Hand-delivered responses should be brought to:

Crystal Park II

2121 Crystal Drive

Arlington, VA 22202

Fourth Floor (Receptionist).

BQ To

Nov 28, 2003



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